UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO
09/632,586	08/04/2000	Hisashi Sakakibara	1536.1002 (JDH)	1897

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EXAMINER
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ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _04 August 2000_ .

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-5_ is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-5_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _04 August 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____ .

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _3_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Drawings

1.   The drawings filed on 08/04/2000 are <u>approved</u> by the Draftsperson under

37 CFR 1.84 or 1.152.

Information Disclosure Statement

2.   The information disclosure statement filed on 10/11/2000, paper no. # 3, not

considered because TRANSLATION was not provided, a copy of PTO-1449 was

enclosed with this office action, paper no. # 5.

Priority

3.   Acknowledgment is made of applicant's claim for foreign priority under

35 U.S.C. 119(a)-(d). A certified copy of Japanese patent application No.

2000-85057 filed on 3/4/2000 has been filed in present Application No. **09/632,586,**

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set
forth in section 102 of this title, if the differences between the subject matter sought to be patented and
the prior art are such that the subject matter as a whole would have been obvious at the time the
invention was made to a person having ordinary skill in the art to which said subject matter pertains.
Patentability shall not be negatived by the manner in which the invention was made.

4.   Claims 1-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Horstmann et al., [hereafter Horstmann] in view of Walker et al., [hereafter Walker],

US Patent No. 6327573.

5.   As to Claim 1, Horstmann teaches a system which including 'a first business

entity, a second business entity who cooperates with said first business entity and

customers of the first and second business entities' [page 5, line 15-16], Horstmann

teaches automated processing of business entities, more specifically as detailed in fig 2,

elements 210,220,230,240-250 are used to process business entities over the computer

network, examiner interpreting first business entity corresponds to Horstmann's

business entity A, second business entity corresponds to business entity B;

'first business entity managing communication on-line services, second business entity

managing customers activity' [page 4, line 24-29, page 12, 4-11], Horstmann specifically

teaches for example a distributed business entity that may have multiple business

entities such as business entity A, and business entity B, C and like as detailed in fig 2

and they are communicating through a computer network element 200, further

Horstmann suggests computer network can be Internet or any wide area network

[page 10, line 18-19], 'instructing said first business entity by said customer to exchange

communication' [page 8, line 25-29, page 9, line 1-3, page 12, line 20-25], Horstmann

teaches firstly automated processing of business entities such as detailed in fig 2, these

business entities are distributed over computer network, it is also noted that first

business entity , second business entity information exchanged over network,

'requesting said second business entity by said first business entity' [page 12, line 6-10],

'sending request by second business entity to said first business entity, exchanging

communication by first business entity' [see fig 2, page 12, line 4-19]. It is however,

noted that Horstmann does not teach 'managing valuable points given to customers as

a reward for consumption activity', 'send valuable points given to the customer',

exchanging received valuable points according to a present exchange rate'. On the

other hand, Walker teaches a system which including 'managing valuable points given

to customers as a reward for consumption activity' [see Abstract, col 1, line 6-9, col 2,

line 14-18], Walker is directed to reward system for consumers or customers for

example in a retail sales or service transaction environment [col 3, line 8-11], further

Walker also suggests for example customers can points for their purchase or

transaction [col 1, line 43-44], examiner interpreting managing valuable points

corresponds to Walker's incentive reward for consumers or customers , 'send valuable

points given to the customer' [col 2, line 66-67, col 3, line 1-7], Walker specifically

suggests for example member or account holders are linked to frequent shopper

account that will identify appropriate account holder to receive valuable points based on

the transaction as detailed in col 3, line 1-7, 'exchanging received valuable points

according to a present exchange rate' [col 4, line 49-63], Walker teaches for example

relationship between frequent shopper database and associated rules that not only

determines the transaction profile data, but also predefined reward level or reward

points for frequent shopper account as detailed in col 4, line 54-63.

It would have been obvious to one of ordinary skill in the art at the time of the

invention to incorporate the teachings of Walker et al. into automated processing of

business entities distributed over a network of Horstmann et al., because they both are

directed to business transaction environment, for example Horstmann is directed to

processing business entities over a computer network, more specifically establishing

hierarchical relationship between various business entities, defining business rules,

attributes of each business entity as detailed in fig 3, while Walker is directed to

frequent shopper reward system for customers or consumers in a business

environment, more specifically identifying each customer, determining account holders,

reward level and other information associated with each member, further establishing

relationship between various objects related to transaction, shopper database, and

customer profile for grating rewards or valuable points [col 4, line 40-63].

One of the ordinary skill in the art at the time of the invention would have been

motivated to modify Horstmann's reference to incorporate tracking and rewarding

valuable points to customers or consumers in a retail sales and/or service transaction

environment where multiple business entities are part of retail sales or service

transaction of Walker, more specifically modifying data structure, business rules of

Horstmann's fig 3 to incorporate reward program, frequent shopper database, frequent

shopper rules database elements 340,400A-400B of Walker fig 3C because that would

have allowed users of Horstmann's automated processing of business entities

distributed over a network to control each customer or consumers incentive rewarding

or granting valuable point based on customer participating in various program(s) that

related to various business entities as suggested by Walker et al. [col 2, line 14-29].

6.   As to Claims 2,4-5, Horstmann teaches a system which including "on-line

services' [page 10, line 18-19], on line services corresponds to Internet that is used for

various processing, transmitting various business related information, for example

making reservation and like as detailed in Abstract, 'a cooperate-user terminal unit that

is connected to said central unit' [fig 1-2], 'customer-use terminal unit comprises a

controller capable of performing the operation of transmitting to said central unit

exchange instructing information' [see Abstract, page 4, line 24-29, fig 1-2], 'a

communication point database that records information' [page 5, line 15-20], databases

corresponds to Horstmann's databases elements 215,225,235 as detailed in fig 2,

'updating database' [page 5, line 22-24], however, it is noted that Horstmann does not

teaches 'information related to communication points, exchange database that records

information related to an exchange rate between communication points and valuable

points, 'valuable point request information requesting valuable points corresponding to

the customer-use terminal unit according to received exchange instructing information','

updating valuable point database'. On the other hand, Walker teaches a system which including 'information related to communication points' [col 3, line 1-7], 'exchange database that records information related to an exchange rate between communication points and valuable points' [col 4, line 16-33, col 6, line 39-45], "valuable point request information requesting valuable points corresponding to the customer-use terminal unit according to received exchange instructing information' [col 4, line 46-63],' updating valuable point database' [fig 2, col 12, line 27-48].

It would have been obvious to one of ordinary skill in the art at the time of the invention to incorporate the teachings of Walker et al. into automated processing of business entities distributed over a network of Horstmann et al., because they both are directed to business transaction environment, for example Horstmann is directed to processing business entities over a computer network, more specifically establishing hierarchical relationship between various business entities, defining business rules, attributes of each business entity as detailed in fig 3, while Walker is directed to frequent shopper reward system for customers or consumers in a business environment, more specifically identifying each customer, determining account holders, reward level and other information associated with each member, further establishing relationship between various objects related to transaction, shopper database, and customer profile for grating rewards or valuable points [col 4, line 40-63].

One of the ordinary skill in the art at the time of the invention would have been

motivated to modify Horstmann's reference to incorporate tracking and rewarding

valuable points to customers or consumers in a retail sales and/or service transaction

environment where multiple business entities are part of retail sales or service

transaction of Walker, more specifically modifying data structure, business rules of

Horstmann's fig 3 to incorporate reward program, frequent shopper database, frequent

shopper rules database elements 340,400A-400B of Walker fig 3C because that would

have allowed users of Horstmann's automated processing of business entities

distributed over a network to control each customer or consumers incentive rewarding

or granting valuable point based on customer participating in various program(s) that

related to various business entities as suggested by Walker et al. [col 2, line 14-29].

7.   As to Claim 3, the limitations of this claim have been noted in the rejection of

Claim 2 above. In addition, both Horstmann and Walker disclosed 'authentication'

[page 13, line 15-29,page 14, line 1-4; Walker: col 3, line 30-33], specifically Walker

suggests user or person or customer to be identified for granting access to the system

as detailed in col 3, line 30-37 that corresponds to authenticating customer user

terminal unit to receive person's identification information, also see fig 8A-8B.

Conclusion

The prior art made of record

a.   WO 99/03053

b.   US Patent No.   6327573

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

c.   US Patent No.   6405175

d.   US Patent No.   6424951

e.   US Patent No.   6381585

f.   US Patent No   6029141

g.   US Patent No   5839114

h.   US Patent No   6351738

i.   US Patent No   6249769

j.   EP0992952

k.   WO 98/29822

l.   WO9103789

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Srirama Channavajjala whose telephone number is

(703) 308-8538. The examiner can normally be reached on Monday-Friday from

8:00 AM to 5:30 PM Eastern Time. The TC2100's Customer Service number is

(703) 306-5631.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John E. Breene, can be reached on (703) 305-9790. The fax phone

numbers for the organization where the application or proceeding is assigned are as

follows:

703/746-7238	**(After Final Communication)**
703/746-7239	**(Offical Communications)**
703/746-7240	**(For Status inquiries, draft communication)**
(703) 308-6606	**(Art Unit)**

Any inquiry of general nature or relating to the status of this application or

proceeding should be directed to the Group receptionist whose telephone number is

(703) 305-9600.

SC

Patent Examiner.
March 18, 2003.   SRIRAMA CHANNAVAJJALA
                                PRIMARY EXAMINER